

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	No. 4:24-CR-00062
	:	
v.	:	(Chief Judge Brann)
	:	
JAY HOLLOWAY,	:	(Electronically Filed)
Defendant	:	

MOTION TO CONTINUE JURY SELECTION AND
TRIAL AND TO EXTEND THE TIME TO FILE
PRETRIAL MOTIONS AND BRIEFS

AND NOW comes the Defendant, Jay Holloway by his attorney, Gerald A. Lord, Assistant Federal Public Defender, and respectfully moves this Honorable Court to continue jury selection and trial and to extend the time to file pretrial motions and briefs. In support thereof, it is averred as follows:

1. On March 12, 2024, Jay Holloway was charged in a 5 count Indictment with 2 counts of distribution of child pornography in violation of 18 U.S.C. § 2252(a)(2) and (b)(1); 2 counts of receipt of child pornography in violation of 18 U.S.C. § 2252(a)(2) and (b)(1); and in count 5 with possession of child pornography in violation of 18 U.S.C. § 2252(a)(4)(B) and (b)(2).

2. On March 14, 2024, Jay Holloway appeared before United States Magistrate Judge William I. Arbuckle for an arraignment and pleaded not guilty.

3. The Federal Public Defender's Office was appointed to represent Mr. Holloway.

4. By Order of March 22, 2024, this Honorable Court scheduled jury selection and trial for May 6, 2024, and set the deadline for filing pretrial motions and briefs to on or before March 29, 2024.

5. Undersigned counsel has received discovery from the Government; however, Mr. Holloway and counsel have not had an opportunity to review and discuss the discovery or to determine the necessity, if any, of filing pretrial motions.

6. For the above stated reasons, Jay Holloway requests an extension of ninety (90) days within which to file pretrial motions and briefs.

7. In addition, in order to provide effective assistance of counsel and to adequately prepare for trial, undersigned counsel seeks a continuance of the jury selection and trial of not less than ninety (90) days.

8. Defense counsel avers that the ends of justice served by the granting of the continuance outweigh the best interest of the public and the defendant in a speedy trial.

9. Defense counsel also avers that the failure to grant a continuance in this case would deny Mr. Holloway reasonable time necessary for effective preparation.

10. The delay occasioned by this motion is excludable pursuant to 18 U.S.C. § 3161(h)(7)(A). *See also* 18 U.S.C. § 3161(h)(7)(B)(iv).

11. Because the reasons for the continuance are fully stated in the motion and the Government concurs in the granting of the motion, no supporting brief is required pursuant to Local Rule 7.5.

WHEREFORE, the Defendant, Jay Holloway respectfully requests that this Honorable Court continue jury selection and trial scheduled for May 6, 2024 for no less than ninety (90) days and extend the deadline for filing pretrial motions and briefs to on or before June 27, 2024.

Respectfully submitted,

Date: April 5, 2024

s/Gerald A. Lord
Gerald A. Lord, Esquire
Assistant Federal Public Defender
Attorney I.D. # PA49539
330 Pine Street, Suite 302
Williamsport, PA 17701
TEL: 570-323-9314
FAX: 570-323-9836
Gerald_lord@fd.org
Attorney for Jay Holloway

CERTIFICATE OF SERVICE

I, Gerald A. Lord, Assistant Federal Public Defender, do hereby certify that the **Motion to Continue Jury Selection and Trial and to Extend the Time to File Pretrial Motions and Briefs**, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing:

Tatum R. Wilson, Esquire
Assistant United States Attorney

and by placing the same in the United States Mail, first class in Williamsport, Pennsylvania, addressed to the following:

Jay Holloway

Date: April 5, 2024

s/Gerald A. Lord

Gerald A. Lord, Esquire
Assistant Federal Public Defender